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*Attorneys for Tahoe Regional Planning Agency,  
Joanne Marchetta, Marsha Berkbigler and Sue  
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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MONICA EISENTECKEN, TAHOE  
STEWARDS, LLC, DAVID BENEDICT,  
ANGELA LYNN BENEDICT, SUCCESSOR  
IN INTEREST, TAHOE FOR SAFER TECH,  
and ENVIRONMENTAL HEALTH TRUST,

Plaintiffs,

v.

TAHOE REGIONAL PLANNING  
AGENCY; JOANNE MARCHETTA, in her  
official and individual capacities, MARSHA  
BERKBIGLER in her official and individual  
capacities; SUE NOVASEL, in her official  
and representative capacities; GUILLIAM  
NEL; and SACRAMENTO-VALLEY  
LIMITED PARTNERSHIP dba VERIZON  
WIRELESS,

Defendants.

2:20-cv-02349-DJC-CKD

**STIPULATION AND ORDER TO  
EXTEND TIME TO FILE  
RESPONSES TO THE  
FOURTH AMENDED COMPLAINT  
(THIRD REQUEST)**

Pursuant to Local Rule 144 and the Court's Orders on the parties' prior stipulations (ECF Nos. 105, 107), Plaintiffs Monica Eisenstecken, Tahoe Stewards, LLC, David Benedict, Angela Lynn Benedict, Successor in Interest, Tahoe for Safer Tech and Environmental Health Trust (collectively, "Plaintiffs"), and Defendants Tahoe Regional Planning Agency, Joanne Marchetta, Marsha Berkbigler and Sue Novasel (collectively, the "TRPA Defendants") and Nominal Defendants Guillian Nel and Sacramento-Valley Limited Partnership dba Verizon Wireless (collectively, the "Verizon Defendants"), through their respective undersigned counsel, stipulate and agree as follows:

On July 31, 2025, Plaintiffs filed their document titled "Fourth Amended Complaint, Petition for Writ of Mandate, Declaratory Relief and Injunctive Relief" (the "Fourth Amended Complaint," ECF No. 103).

This is the parties' third request for an extension of time to file responses to the Fourth Amended Complaint. On the parties' previous stipulations, the Court granted Defendants and Nominal Defendants two consecutive 28-day extensions of time to respond to the Fourth Amended Complaint ("Previous Extensions," ECF Nos. 105, 107). Pursuant to the Previous Extensions, Defendants' and Nominal Defendants' response(s), if any, to the Fourth Amended Complaint are currently due on or before November 7, 2025. The second extension states, "If the parties need additional time to engage in further settlement discussions, they will file a future stipulation for extension of time on or before November 7, 2025." (ECF No. 107). The parties file this third request in compliance with that language.

Plaintiffs and the TRPA Defendants continue to engage in settlement discussions that, if successful, would result in the dismissal of this action with prejudice. As a result of and to further facilitate those settlement discussions, the parties have filed a stipulation to dismiss Nominal Defendant Guillian Nel from the action without prejudice (ECF No. 108). Additional time is needed to consider and discuss settlement proposals and to have those vetted through TRPA's processes, including consideration by the TRPA Board and to account for the intervening holidays. Based on the Board's meeting schedule and the steps that would be

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**Stipulation and Order to Extend Time to File Responses to the Fourth Amended Complaint  
(THIRD REQUEST)**

1 needed to have a settlement vetted and approved, and to allow these parties to dedicate their  
2 time and resources towards a potential settlement, rather than in furtherance of continued  
3 litigation, the parties seek to extend the existing deadline for Defendants and the remaining  
4 Nominal Defendant to respond to the Fourth Amended Complaint.

5 NOW THEREFORE,

6 The parties stipulate and agree that the due date for all Defendants and Nominal  
7 Defendants to respond to the Fourth Amended Complaint shall be extended by 147 days. All  
8 Defendants and Nominal Defendants shall file their response(s), if any, to the Fourth Amended  
9 Complaint on or before April 3, 2026.

10 If the parties need additional time to engage in further settlement discussions or finalize  
11 any settlement, they will file a future stipulation for extension of time on or before April 3,  
12 2026.

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14 *[Continued on following page]*  
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28 **Stipulation and Order to Extend Time to File Responses to Fourth Amended Complaint  
(THIRD REQUEST)**

The parties represent that this stipulation is made in good faith and not for the purpose of delay.

DATED: November 4, 2025

DATED: November 4, 2025

LEONARD LAW, PC

LAW OFFICE OF ROBERT J. BERG

/s/ Debbie Leonard

/s/ Robert J. Berg (as authorized on 10/30/2025)

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DATED: November 4, 2025

MACKENZIE & ALBRITTON LLP

*Attorneys for Plaintiffs*

/s/ Melanie Sengupta (as authorized on 11/4/2025)  
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*Attorneys for Verizon Defendants*

**IT IS SO ORDERED.**

Dated: November 5, 2025

/s/ Daniel J. Calabretta

The Honorable Daniel J. Calabretta  
United States District Judge

**Stipulation and Order to Extend Time to File Responses to Fourth Amended Complaint  
(THIRD REQUEST)**

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(THIRD REQUEST)**